

## PUBLIC EXHIBITION: COMMUNITY COMMENTS AND COUNCIL OFFICER RESPONSE

Community Submission	Officers Comment
14 submissions were made that supported the Policy but did not provide any comments	N/A
10 submissions were made that supported the Policy with comments specifically that retailers should be made to install trolley containment systems that prevents trolleys being removed from beyond a certain point.	<p>It is acknowledged that trolley containment systems are no doubt the most effective method of preventing trolleys being abandoned in the public place. However, there are no legal mechanisms available to Council to 'force' the installation of these systems in pre-existing retail stores.</p> <p>Any new Development Applications/major modification of Development Applications received by Council for shopping centres, supermarkets and major retail outlets (bottle shops, hardware etc) which use trolleys will have a standard condition imposed on the development consent requiring a Shopping Trolley Management Plan detailing a trolley containment system.</p>
4 submissions were made that supported the Policy with comments specifically that people whom abandon trolleys in public places should receive fines.	Council's Ranger Services are currently able to issue fines to those found abandoning any items in the public place, however there are some difficulties in that the Officer must be present and observe the offence occurring, which in most circumstances when a Council Ranger is present, people chose not to abandon the item.
The policy/regulation could also make reference to requiring retailers to educate their customers to not take trolleys from the premises..	There are no legal mechanisms available to Council to 'require' retailers to educate their customers. However Section 6.1 of the Policy requires Council to engage with retailers to notify them of their responsibilities and provide education in relation to best practise in shopping trolley management.
Fines could extend the reach of Council by having citizens participate in the process e.g having people register to report dumped trolleys through an online portal or app, where enough information could be collected to fine the companies that own the trolleys, a model similar to the EPA's dob in littering from a vehicle.	The Environmental Protection Authority's model relies on legislation that permits the use of a vehicles registration number to link the offender. There is no current legislation that gives Council the ability to fine a retailer for one of their trolleys being in a public place, this is an offence committed solely by the person whom abandoned the trolley.
In reference to Section 6.1.1 & 6.1.2 of the Policy, retailers have willfully refused to respond to council requests (and those of the Tidy Ashfield Group) on many previous occasions, so a "no mercy" impounding system is the only way to make them take notice. The council should make it clear to the public that retailers will be fined for impounded trolleys and aluminum from any which are subsequently scrapped will be re-used.	<p>Section 4.1.2 (iii) of the Impounding Protocol (Shopping Trolleys) guides Council Officers to undertake a proactive approach in addressing abandoned trolleys. This includes Council's actions in impounding abandoned and/or unattended shopping trolleys, irrespective of how long it has been left on public land.</p> <p>There is no legislation in place that permits the 'fining' of the owner of the trolley, however there are fees and charges applicable to each trolley impounded.</p>

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<p>It would be better if there was specific mention of record keeping of the number that are reported and those numbers would be reported to council periodically. There is also no mention of the process of engaging with organisations to do something about persistent trolley issues such as trolley deposit schemes or wheel locks.</p>	<p>Council currently records the number of reports received in relation to abandoned trolleys in Council's Customer Request Management System. This is not required to be incorporated into the Policy/Protocol.</p> <p>The purpose of the Impounding Policy and Protocol (Shopping Trolleys) is to outline Council Officers overall approach to abandoned trolleys. The process of engaging with organisations is not detailed in the Policy or Protocol to provide Council Officers discretion in engagement techniques depending on the circumstances of each case.</p>
<p>Whenever a supermarket operator or shopping centre owner utilising trolleys lodges a Development Application (DA) for any matter whatsoever (including for example a change of opening hours), Council must insist that a condition of the DA includes proper trolley management including the retrospective installation of devices preventing trolleys from leaving the supermarket or shopping centre.</p>	<p>When a application to modify a development consent (Development Application) is received by Council, Council can only require a change/add a consent condition that is directly related to the requested modification.</p>
<p>Council has the right to install devices preventing trolleys from leaving the supermarket or shopping centre on Council owned property adjacent to those supermarkets or shopping centres.</p>	<p>In order to restrict the exit of trolleys from supermarkets and shopping centres, Council would need to install bollards that would also restrict the free passage of prams, wheelchairs and other forms of mobility devices. As such this is not regarded to be a suitable solution in this instance.</p>
<p>The retailers should be encouraged to explain the policy in multiple languages to assist those of "LOTE" (sic).</p>	<p>This feedback will be considered when Council engage with retailers in relation to the best practice of shopping trolley management.</p>
<p>Hefty fines on supermarkets and other trolley owners for each trolley rescued will also help. I do not mean a fee to get the trolley back, I mean a hefty fine for it being dumped. Each trolley should be required to have an identification number stamped on it. This would allow council to take a supermarket or other trolley owner to court if they did not pay their fines.</p>	<p>There is no legislation in place that permits the 'fining' of the owner of the trolley, however there are fees and charges applicable to each trolley impounded.</p>
<p>Enforcement section does not specifically outline what Council will actually do.</p>	<p>This is covered in the Impounding Protocol (Shopping Trolleys) under Section 4.1</p>
<p>The definition of "public safety concern" is undefined. It is ambiguous what is "a safer position" and "reasonable timeframe". There is no doubt that shopping trolleys on public streets should not be there. Shopping trolleys are the private property of supermarkets. They are serving no purpose abandoned in the streets.</p>	<p>Public safety concern and safer positions have now been defined in the Policy. Reasonable timeframe has not been defined as each individual situation will require differing response times as determined at the discretion of Council Officers.</p>

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<p>Council's Ranger Services should remove the trolleys and take them back to the Ashfield Mall. The "reasonable timeframe" and assessment of a "safety concern" merely delay action in taking the trolleys off the street. It would not be efficient or effective for a shopping trolley to be taken from the road to a footpath, which may be "a safer position" rather than just being taken back to Ashfield Mall.</p>	<p>Returning trolleys back to the retailer would not contribute to solving the abandonment issue. Irrespective, Council is not resourced to provide a return to the retailer service.</p>
<p>There should be education (marketing and signage within Ashfield Mall and the carpark) regarding the purchase and use of private wheeled shopping bag and the disposal of shopping trolleys in the public streets as theft. Shopping trolleys are clearly the private property of the supermarkets not the public property of shoppers.</p>	<p>This feedback will be considered when Council engage with retailers in relation to the best practice of shopping trolley management. Please note however that there are no legal mechanisms that give Council the power to require the installation of signage in shopping centres nor provide education. The onus is on the retailer to do this of their own volition.</p>
<p>This submission <u>did not</u> support the Policy citing: The Policy does not go far enough to deter or prevent dumped trolleys. There needs to be a strong incentive for supermarkets to make a change (i.e automatic fines), so it becomes more economical to make a change to better manage trolleys, rather than the suggested approach of talking to companies about the issue to essentially give them warnings.</p>	<p>There is no legislation in place that permits the 'fining' of the owner of the trolley, however there are fees and charges applicable to each trolley impounded.</p> <p>Section 4.1.2 (iii) of the Impounding Protocol (Shopping Trolleys) guides Council Officers to undertake a proactive approach in addressing abandoned trolleys. This includes Council's actions in impounding abandoned and/or unattended shopping trolleys, irrespective of how long it has been left on public land.</p>
<p>This submission <u>did not</u> support the Policy citing: Shopping trolleys, while visually intrusive, are not generally dangerous items. To have a policy such as this means shops will restrict their use outside the centre, resulting in more people using cars to access shops, which is bad for the environment and long term sustainability. Better to reward people for returning them to shops.</p>	<p>The perception of 'dangerous' is subjective and as such will be determined at the discretion of the Council Officer at the time of inspection of the abandoned trolley.</p> <p>The intent of the Policy is not to restrict the use of trolleys, more to encourage the retailers to take a far greater level of responsibility in their management.</p> <p>Any reward to the people for returning the trolley would be a matter for the retailers to implement.</p>
<p>This submission <u>did not</u> support the Policy citing: All the abandoned trolleys have a phone number and are normally collected within 24 Hrs. Not sure why parking and ranger services cannot report them back to their office and a single call made each day to the owner. Another solution is for trolley's to have an RF lock so that they loose mobility within 50/100 metres of the shopping centre. I have seen this in operation in Queensland, and it puts the onus back on the shop. Council could also put signage regarding this on their</p>	<p>Council's Ranger Services currently report abandoned trolleys via the collection providers, however in our experience it is not making a difference and in a lot of cases trolleys will remain in situ for long periods of time. It is only those in close proximity of the shop that are collected frequently.</p> <p>It is acknowledged that trolley containment systems are no doubt the most effective method of preventing trolleys being abandoned in the public place. However, there are no legal mechanisms available to</p>

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<p>vehicles. Messages about fines are a waste of time as you have to catch the person in the act to be able to prosecute.</p>	<p>Council to 'force' the installation of these systems in pre-existing retail stores.</p> <p>Any new Development Applications/major modification of Development Applications received by Council for shopping centres, supermarkets and major retail outlets (bottle shops, hardware etc) which use trolleys will have a standard condition imposed on the development consent requiring a Shopping Trolley Management Plan detailing a trolley containment system.</p>